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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/877,150 06/17/97 ULLRICH

A 225/298

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HM12/0106

EXAMINER

MURPHY, J

ART UNIT

PAPER NUMBER

1644

16

DATE MAILED:

01/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



UNITED STATES DEPARTMENT OF COMMERCE
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.

EXAMINER	
ART UNIT	PAPER NUMBER
1644	16

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

The reply filed on 11/01/99 in Paper No. 15 is not fully responsive to the prior Office action and the amendment to the claims has not been entered, because the amendment indicates claims 3-6, 8 and 18 as twice amended. However, these claims had not previously been amended, and therefore the indicated amendments could not be entered.

The amendment to the claims should be made in accordance with 37 CFR 1.121(a)(2)(ii) which states:

(ii) Claim cancellation or rewriting: A claim may be amended by directions to cancel the claim or by rewriting such claim with underlining below the matter added and brackets around the matter deleted. The rewriting of a claim in this form will be construed as directing the deletion of the previous version of that claim. If a previously rewritten claim is again rewritten, underlining and bracketing will be applied relative to the previous version of the claim, with the parenthetical expression "twice amended," "three times amended," etc., following the original claim number. The original claim number followed by that parenthetical expression must be used for the rewritten claim. No interlineations or deletions of any prior amendment may appear in the currently submitted version of the claim.

Furthermore, the amendments to the specification in Paper No. 15, 11/01/99 on pages 9, 12, 13, 14, 16, 19, 22, 25 and 41 could not be entered because the directions as to where the amendments should be entered are incorrect.


The new claims 21-22 also could not be entered because the claims have previously been cancelled in Paper No. 9, 1/11/99. These new claims can only be entered as claims 28 and 29.

A claim canceled by amendment (not deleted and rewritten) can be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.


Since the above-mentioned reply appears to be *bona fide*, applicant is given TIME PERIOD of **ONE (1) MONTH** from the mailing date of this notice, whichever is longer, within which to supply an amendment in compliance with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph Murphy whose telephone number is (703) 305-7245. The examiner can normally be reached on Monday through Friday from 8:30 am to 5:00 pm.

If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Christina Chan, can be reached at (703) 305-3973. The FAX number for our group, 1644, is (703) 305-7939. Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the Group receptionist, whose telephone number is (703) 308-0196.



Joseph F. Murphy, Ph.D.
Patent Examiner
Art Unit 1644
January 5, 2000



PREMA MERTZ
PRIMARY EXAMINER